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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN THE APPLICATION OF:

Randall Allen Vogel et al

CASE NO.: AD6728USNA

SERIAL NO.: 09/833,452

GROUP ART UNIT: 1773

FILED: 04/12/2001

EXAMINER: Monique R. Jackson

FOR: Multilayer, Co-Extruded, Ionomeric Decorative Surfacing

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PRELIMINARY AMENDMENT

Commissioner for Patents

P.O. Box 1450

10 Alexandria, VA 22313-1450

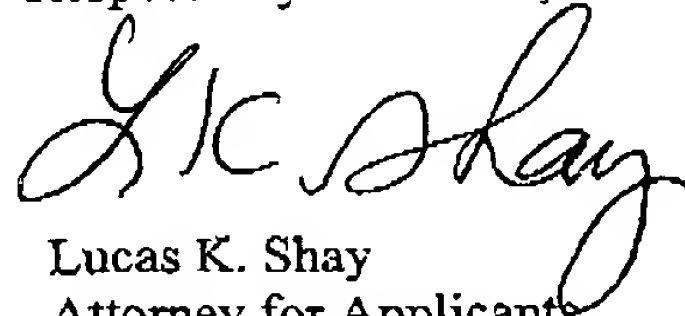
Sir:

15 Concurrently with the submission of the Request for Continued Examination (RCE), applicants submit amended claims beginning at page 2. The recitation of thickness in the range of from about 8 mils to about 60 mils is previously recited in claim 3. The amendment overcomes Flieger, which was previously relied on by the examiner. Flieger expressly limits the thickness of films disclosed therein to 70-125 microns (less than 5 mils).

20 Accompanying the RCE request and this amendment is a Rule 131 Declaration by co-inventor Lori J. Pike. The declaration shows that one or more claims were reduced to practice prior to 12/15/1998, including the thickness (sample number E203-31-5) of 8 mils (claim 1) and gloss of 75 and 82 at 20° (claims 69-72). The declaration effectively antedates Smith reference relied on by the examiner.

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Respectfully submitted,



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35 Dated: April 3, 2007